IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

WEDNESDAY, THE 7TH MARCH 2007 / 16TH PHALGUNA 1928

Crl.Rev.Pet.No. 1020 of 2007()

CRA.440/2004 of ADDL. SESSIONS COURT, ALAPPUZHA
CC.240/2003 of JUDL.MAGISTRATE OF FIRST CLASS, AMABALAPUZHA

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REVN. PETITIONER: APPELLANT/ACCUSED

MATHEW P.VARGHESE
PUTHENPARAMBIL, PANDANKARI P.O.
EDATHUA, ALAPPUZHA.

BY ADV. SRI.P.VINODKUMAR

RESPONDENTS: RESPONDENTS/COMPLAINANT & STATE

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1. BIJU JOSEPH
   PATTATHANATHU HOUSE
   EDATHUA, ALAPPUZHA.

2. STATE OF KERALA
   REPRESENTED BY THE PUBLIC PROSECUTOR
   HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.C.M.KAMMAPPU

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 07/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU, J

CRL.R.P.No.1020 of 2007

Dated this the 7th day of March, 2007

ORDER

Revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced, as modified by the appellate court, to undergo simple imprisonment for four months and to pay compensation of Rs.1,50,000/- vide Section 357(3) of the Code of Criminal Procedure and in default, to undergo simple imprisonment for two months.

2. Revision petitioner has only sought for modification of the sentence and time to make the payment. In the circumstances, sentence is modified to imprisonment till the rising of the court. The rest of the sentence is affirmed. Revision petitioner is granted three months' time from today onwards to make the payment. He shall appear before the Judicial First Class Magistrate Court-Ambalapuzha on 15.6.2007 to receive the sentence.

The criminal revision petition is disposed of as above.

K.R.UDAYABHANU,
JUDGE

csl